

# **Report of the Half Crown Neighborhood Conservation District Study Committee**

## **Membership Components of the Half Crown NCD Order**

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### **Executive Summary**

The Study Committee has recommended two actions be taken to revitalize the membership component of the Half Crown NCD Commission: 1) solicit new membership from within the Half Crown NCD, and 2) consider appointment of an at-large member from outside the NCD, perhaps sharing a member from the Marsh NCD Commission. Neither of the two recommended actions will require amending or revising either the Half Crown NCD order or Article III of Chapter 2.78.

The Study Committee further identified a series of suggestions that a revitalized Half Crown NCD Commission may wish to consider. These are: 1) consideration should be given to enlarging the Half Crown NCD; 2) consideration should be given to the eventual merger of the Half Crown and Marsh NCDs; 3) consideration should be given to enhancing the Half Crown NCD Commission's role as an advocate in broader issues of neighborhood development; 4) consideration should be given to developing measures to lessen the tendency for the Commission to lapse into inactivity, given the small size of the district and the more relaxed review standards of the Half Crown NCD order.

It is the recommendation of the Half Crown NCD Study Committee that this report be forwarded to the Cambridge Historical Commission with a recommendation that options 2) and 3) as described in section III of this report be adopted. No formal actions or amendments to existing orders or ordinances are recommended at this time.

## I. Initiation of Study

### A. Introduction

The Cambridge Historical Commission voted on November 3, 2000 to initiate a study of the membership provisions of the order establishing the Half Crown Neighborhood Conservation District. The Half Crown NCD, designated April 9, 1984, was the first such district established in the city of Cambridge following adoption in 1984 of Article III of Chapter 2.78 of the City Code, the enabling ordinance for NCDs and landmarks. The oldest of the city's five NCDs, the Half Crown NCD is also the smallest, in terms of properties protected. Located immediately west of Harvard Square, the Half Crown NCD contains approximately 75 properties on Mount Auburn, Hilliard, Revere, Gerry, Brewer and Ash streets as well as 5 large apartment buildings and 3 frame houses on Memorial Drive.

The 1984 Final Study Report for the Half Crown NCD cited among the purposes of the district supporting the intangible qualities of "neighborliness" and community, as well as establishing a responsive commission that would respect the district's architectural diversity. The Report cited as the goals of the NCD to conserve existing buildings but also to enhance community feeling. During the current study, members of the Half Crown NCD Commission and others confirmed that supporting the district's sense of community is still an important goal.

As it does for the other NCD commissions, the staff of the Cambridge Historical Commission serves as staff for the Half Crown NCD Commission. The membership study was initiated in response to staff-level concerns about three specific issues: 1) the large number of holdover, vacant, and expiring appointments on the Commission, 2) the difficulty of locating individuals willing to serve on the Commission, and 3) problems in obtaining a quorum for Commission meetings and the potential for regulatory lapses as a result. It was hoped that the study might also elicit suggestions to stimulate an increase in the activities of the Commission and enhance neighborhood awareness of the district, the Commission and its role.

The Study Committee has met five times over an 8-week period to look at the issue of membership. The meetings have included a walking tour to view all of the properties that have undergone some form of review over the history of the district. A second walking tour for the general public is scheduled for June 10, prior to the Historical Commission hearing at which this report will be submitted. In addition, all property owners in the district have received mailings informing them of the study and its progress. To date, three public notices and two newsletter updates have been sent. A final newsletter update and the required hearing notice will be sent in June.

### B. Current Status of Commission Membership

Currently, the terms of three of the five members of the Commission have expired (as of September 30, 1996 and 1998); those members continue as holdover appointments, serving until the City Manager appoints new members in their stead. There are two vacancies on the Commission, one for a representative from the Cambridge Historical

Commission and the other for an at-large member. The Commission's three alternates are serving their second three-year terms, which are due to expire on September 30, 2001. While NCD commission members serve until a successor is "duly appointed and qualified," the enabling ordinance also states "no member shall serve more than two consecutive terms" [2.78.160.B]. Therefore, the three alternate members must also be re-appointed (presumably as members) or their terms will also lapse into holdovers.

#### C. Summary of Commission Cases (1984-2000)

The Half Crown Neighborhood Conservation District was established by City Council order on April 9, 1984 and a Half Crown NCD Commission consisting of five members and three alternates was appointed to administer the District. Originally established to curb commercial expansion from Harvard Square, the district has binding jurisdiction over square footage additions, demolition, and construction of a parking lot as a principal use.

In the 16 years of its existence from 1984 to 2000, the district generated 163 cases but only 30 of those cases required public review by the Commission. While the total figure indicates an average of 10 cases per year, only 20 applications (12%) have been subject to a public hearing for binding review. An additional 10 applications (6%) have required a public hearing for non-binding reviews by the Commission. The remaining 82% of applications submitted have been for in-kind repairs, interior alterations, or other ordinary maintenance not subject to review by the Commission and have resulted in Certificates of Non-Applicability issued by the staff. Thus, the Commission has been called upon to meet, on average, twice a year.

Since 1995, the Half Crown NCD Commission has held only 10 hearings. The last public hearing for binding review called by the Half Crown NCD Commission was convened on June 22, 1998 for review of additions proposed for the property at 31 Ash Street. A subsequent public hearing, called for non-binding review of an application to replace a wooden window with a vinyl sash, was cancelled for lack of a quorum.

## D. Log of Cases Received for Half Crown NCD (1984-2000)

Case #	Property Address	Certificate
HC-1	134 Mt. Auburn St.	COA NB
HC-2	140-42 Mt. Auburn St.	COA NB
HC-3	12 Gerry St	COA B
HC-4	10 1/2 Hilliard St	CONA
HC-5	8 Gerry St	COA NB
HC-6	10 Hilliard St	COA NB
HC-6A	24 Ash St	COA B
HC-7	16 Gerry St	COA B
HC-8	8 1/2 Ash St Pl	COA B
HC-9	10 Hilliard Pl	COA B
HC-10	10 Hilliard St	COA NB
HC-11	11 Hilliard St	CONA
HC-12	5 Fuller Pl	COA B
HC-13	33-35 Ash St	COA B
HC-14	5 Brewer St	COA NB
HC-15	32 Ash St	COA B
HC-16	989 Memorial Dr	CONA
HC-16A	5-7-9 Gerry St	COA B
HC-17	8 1/2 Ash St Pl	CONA
HC-18	988 Memorial Dr	CONA
HC-19	33-35 Ash St	CONA
HC-20	143-45 Mt. Auburn St.	COA B
HC-21	995 Memorial Dr	CONA
HC-22	150 Mt. Auburn St	CONA
HC-23	1 Hilliard Pl	CONA
HC-24	10 Hilliard St	CONA
HC-25	987 Memorial Dr	CONA
HC-26	1 Chapman Pl	CONA
HC-27	48 Hawthorn St	COA B
HC-28	8 Gerry St	COA B
HC-29	5 Brewer St	CONA
HC-30	32 Ash St	COA B
HC-31	997 Memorial Dr	COA B
HC-32	5 Hilliard St	CONA
HC-33	8 1/2 Ash St Pl	CONA
HC-34	8 Chapman Pl	CONA
HC-35	997 Memorial Dr	CONA
HC-36	8 Hilliard St	CONA
HC-37	8 Ash St Pl	CONA
HC-38	8 Ash St Pl	CONA
HC-39	988 Memorial Dr	CONA
HC-40	987 Memorial Dr	CONA
HC-41	22 Hilliard St	CONA
HC-42	988 Memorial Dr	CONA

HC-43	146 Mt. Auburn St	CONA
HC-44	11A Brewer St	CONA
HC-45	30 Ash St	COA B
HC-46	8 Ash St Pl	CONA
HC-47	154 Mt. Auburn St	CONA
HC-48	147 Mt. Auburn St	CONA
HC-49	20 Hilliard St	COA B
HC-50	11 Gerry St	CONA
HC-51	143-45 Mt. Auburn St.	CONA
HC-52	20 Hilliard St	CONA
HC-53	992 Memorial Dr	CONA
HC-53A	32 Ash St	COA B
HC-54	5 Fuller Pl	CONA
HC-55	22 Hilliard St	CONA
HC-56	22 Hilliard St	CONA
HC-57	(72 Mt Auburn St )	(not in NCD)
HC-58	988 Memorial Dr	CONA
HC-59A	34 Ash St	CONA
HC-59B	141 Mt. Auburn St.	CONA
HC-60	995 Memorial Dr	CONA
HC-61	(76 Mt. Auburn St)	(not in NCD)
HC-62	12 Gerry St	COA NB
HC-63	985 Memorial Dr	CONA
HC-64	30 Ash St	COA B
HC-65	18 Hilliard St	CONA
HC-66	163 Mt. Auburn St	CONA
HC-67	983 Memorial Dr	CONA
HC-68	5 Fuller Pl	COA NB
HC-69	7-7 1/2 Brewer St	CONA
HC-70	987-989 Memorial Dr	CONA
HC-71	7-7 1/2 Brewer St	CONA
HC-72	983 Memorial Dr	CONA
HC-73	30 Ash St	COA B
HC-74	10-12-14 Gerry St	CONA
HC-75	995 Memorial Dr	CONA
HC-76	155 Mt. Auburn St	CONA
HC-77	997 Memorial Dr	CONA
HC-78	993 Memorial Dr	CONA
HC-79	10 Ash St Pl	CONA
HC-80	983-986 Memorial Dr	CONA
HC-81	148 Mt. Auburn St.	CONA
HC-82	10 Hilliard Pl	CONA
HC-83	993 Memorial Dr	CONA
HC-84	8 Chapman Pl	CONA
HC-85	15 Hilliard St	COA NB
HC-86	1 Fuller Place	COA NB
HC-87	165 Mt.Auburn St.	CONA
HC-88	165 Mt.Auburn St.	CONA
HC-89	7 Brewer St	CONA

HC-90	1 Chapman Pl	CONA
HC-91	6 Brewer St	CONA
HC-92	1 Fuller Place	COA NB
HC-93	143-45 Mt. Auburn St.	COA
HC-94	983 Memorial Dr	CONA
HC-95	983 Memorial Dr	CONA
HC-96	983-986 Memorial Dr	CONA
HC-97	15 Hilliard St	CONA
HC-98	3 Fuller Pl	CONA
HC-99	984 Memorial Dr	CONA
HC-100	15 Hilliard St	CONA
HC-101	18 Hilliard St	CONA
HC-102	988 Memorial Dr	CONA
HC-103	18 Hilliard St	CONA
HC-104	18 Hilliard St	CONA
HC-105	992 Memorial Dr	CONA
HC-106	986 Memorial Dr	CONA
HC-107	18 Hilliard St	CONA
HC-108	19 Hillard St	CONA
HC-109	988 Memorial Dr	CONA
HC-110	18 Hilliard St	CONA
HC-111	152 Mt. Auburn St	CONA
HC-112	152 Mt. Auburn St	CONA
HC-113	146 Mt. Auburn St	COA B
HC-114	18 Hilliard St	CONA
HC-115	137 Mt. Auburn St	CONA
HC-116	6 Ash St	CONA
HC-117	148 Mt. Auburn St.	CONA
HC-118	10 Hilliard St	CONA
HC-119	983 Memorial Dr	CONA
HC-120	6 Brewer St	CONA
HC-121	136-38 Mt. Auburn St.	COA B
HC-122	987-989 Memorial Dr	COA NB
HC-123	986 Memorial Dr	CONA
HC-124	989 Memorial Dr	CONA
HC-125	31 Ash St	COA NB
HC-126	986 Memorial Dr	CONA
HC-127	163 Mt. Auburn St	CONA
HC-128	163 Mt. Auburn St	CONA
HC-129	17 Hilliard St	CONA
HC-130	985 Memorial Dr	CONA
HC-131	11 Brewer St	CONA
HC-132	34 Ash St	CONA
HC-133	17 Hilliard St	
HC-134	31 Ash St	
HC-135	992 Memorial Dr	CONA
HC-136	22 Hilliard St	CONA
HC-137	19 Hilliard St	CONA
HC-138	34 Ash St	CONA

HC-139	3 Fuller Pl	CONA
HC-140	985 Memorial Dr	CONA
HC-141	148 Mt. Auburn St.	CONA
HC-142	989 Memorial Dr	CONA
HC-143	9 Gerry St	CONA
HC-144	986 Memorial Dr	CONA
HC-145	11 Brewer St	CONA
HC-146	11 Brewer St	CONA
HC-147	987-989 Memorial Dr	CONA
HC-148	140 Mt. Auburn St	CONA
HC-149	16 Hilliard St	CONA
HC-150	140 Mt. Auburn St	CONA
HC-151	3 Chapman Pl	CONA
HC-152	8 Brewer St	CONA
HC-153	8 Brewer St	CONA
HC-154	10 Hilliard St	CONA
HC-155	983 Memorial Dr	CONA
HC-156	993 Memorial Dr	CONA
HC-157	993 Memorial Dr	CONA
HC-158	984 Memorial Dr	CONA
HC-159	12 Hilliard St	CONA
HC-160	(59 Foster St)	(not in NCD)
HC-161	11A Brewer St	CONA
HC-162	9 Brewer St	CONA
HC-163	8 Brewer St	CONA
HC-164	986 Memorial Dr	CONA
HC-165	157 Mt. Auburn St	COA NB
HC-166	987 Memorial Dr	CONA
HC-167	8 Brewer St	CONA
HC-168	33 Ash St	CONA
HC-169	19 Hilliard St	COA NB
HC-170	995 Memorial Dr	CONA

## II. Membership Requirements

By the terms of the enabling ordinance, Chapter 2.78.160, neighborhood conservation district commissions must consist of 5 members and 3 alternates. Three of the members must be residents of the neighborhood, at least two of whom must own homes in the neighborhood; all three alternates must be property owners in the neighborhood. Since ownership is not required of members, tenants may also serve as members of the Commission. One member or alternate of the Historical Commission must serve as a member of the NCD Commission.

The ordinance provides broad qualification standards for members and alternates of an NCD commission. It states that they “shall by reason of experience or education have demonstrable knowledge and concern for [the] improvement, conservation and enhancement of the district, and at least two of the members or alternates shall have professional qualifications related to real estate or architecture or historic preservation.”

The ordinance states “no member shall serve more than two consecutive terms.” It has been the opinion of the Law Department that this provision allows an individual to serve the maximum in both categories, or no more than two terms as an alternate and two terms as a member. Therefore, provided the individual meets the other required qualifications, an individual may serve up to four terms, two in each membership category.

The enabling ordinance also provides a mechanism in which the Historical Commission itself may exercise authority as the NCD commission. Section A of 2.78.160 states: “unless the designation provides that the Historical Commission itself shall exercise authority with respect thereto, the City Manager shall appoint a neighborhood conservation district commission to consist of five members and three alternates.” Thus, the designation of an NCD may provide for the Historical Commission itself to exercise authority over a district. Currently, the Harvard Square Conservation District is the only NCD administered in this way.



### III. Membership Options

The Half Crown NCD Study Committee has reviewed several options to the membership question. These are listed below.

#### ***1) Amend the NCD order to transfer the authority for administering the district to the Cambridge Historical Commission.***

Chapter 2.78 provides for amending NCDs in the same manner as outlined in 2.78.180 for designation of an NCD: the Historical Commission may on its own, or 10 registered voters of the city may petition the Commission to initiate, a study to designate, amend, or rescind an NCD. A study committee is appointed by the City Manager, a study report is prepared, public hearings are held, the Historical Commission makes a recommendation, and the report is presented to the City Council for its vote.

This option would entail amending Sections 1 and 2 of the Half Crown order and substituting “Cambridge Historical Commission” wherever reference is made to the “Half Crown Neighborhood Conservation District Commission” elsewhere in the order.

Section 1. (Designation of Half Crown Neighborhood Conservation District) would be amended to state that the District “shall be administered by the Cambridge Historical Commission.”

Section 2. (Membership) would be amended to reference the membership provisions for the Cambridge Historical Commission as contained in Article I of Chapter 2.78 (2.78.010). Provision for neighborhood representation (perhaps in the form of an advisory committee to sit on any cases from the district coming before the Historical Commission) could be written into Section 2.

The Study Committee has chosen not to pursue this option: current Half Crown NCD Commission members of the Study Committee and present and former owners in the district wish to see the Half Crown NCD Commission revitalized through appointment of new members from within the neighborhood.

#### ***2) Solicit new membership from within the Half Crown NCD.***

Members of the Study Committee and other interested individuals have identified individuals in the district who should be approached about membership. These individuals will be contacted directly to seek their interest in applying for appointment. The Committee has also indicated that members of the Commission whose terms are expiring should offer names of possible candidates to replace them on the Commission.

New membership on the Half Crown NCD Commission will require the following:

- appointment of a member or alternate from the Historical Commission to serve on the Half Crown NCD Commission; perhaps the same individual might also be

appointed to the new Marsh NCD Commission, thereby further enhancing familiarity with the issues involving these two nearby NCDs;

- appointment of four new members to the Half Crown NCD Commission: it is recommended that the three current alternates, whose two-term appointment limit as alternates will be fulfilled as of September 30, 2001, be considered for appointment as members of the Commission; a fourth member, either from within the district or “at-large” must be identified for appointment; it is the Committee’s recommendation that nominees be sought from the Memorial Drive buildings (none of which has yet contributed a member to the Commission) and from the district’s tenant residents;

- appointment of three new alternates to the Half Crown NCD Commission, all of whom must be property owners in the neighborhood.

This option does not entail revising or amending the Half Crown NCD order. The Study Committee recommends pursuing this course of action, in conjunction with 3) below.

### ***3) Consider appointment of an at-large member from outside the NCD.***

It has been pointed out that Chapter 2.78 allows for appointment of one “at-large” member to the Commission who is neither an owner nor a resident of the neighborhood. Appointment of an “at-large” member from outside the district would relieve some of the burden of identifying seven individuals from within the relatively small population base of the district and, depending on who was appointed, could enable greater collaboration and communication between neighborhoods.

It has been suggested, for example, that an “at-large” member could be appointed from another NCD commission. The Marsh NCD Commission is, as of the date of this study, in the process of being appointed. If a member or alternate from the Marsh NCD Commission could be appointed to the Half Crown NCD Commission, communication between the two districts would be enhanced. (A reciprocal arrangement would also be useful given the numerically-small number of property owners in the Marsh NCD: appointment of a Half Crown NCD Commission member or alternate to the Marsh NCD Commission.)

Adoption of this suggestion would not entail any revisions or amendments to the Half Crown NCD order or to Chapter 2.78. The Study Committee recommends this option in combination with other measures to revitalize commission membership.

#### IV. Additional Recommendations for Further Study

The Half Crown NCD Study Committee has identified several other issues of neighborhood concern to be considered by the Half Crown NCD Commission at such time as the new appointments have been made. In addition, the Historical Commission staff have ongoing concerns about the viability and effectiveness of the District, which should also be considered by a newly-appointed Commission. These are listed below.

***1) Consideration should be given to enlarging the Half Crown NCD.***

The Half Crown NCD as studied prior to its 1984 designation included upper Ash Street, Acacia Street and the east side of Hawthorn Street. The Commission should explore the potential for amending the district with owners in this area. Enlarging the district would begin to address some of the issues of district inactivity that stem from the district's small size.

***2) Consideration should be given to the eventual merger of the Half Crown and Marsh NCDs.***

The Half Crown and Marsh NCDs share a number of historical, architectural, and developmental characteristics: both are dense areas of small-scale 19<sup>th</sup>-century workers' housing with similar topographic issues relating to their proximity to the river.

Merging the districts would, however, entail establishing avenues of communication between the neighborhoods and determining whether a sense of shared issues is present between the two districts. The Marsh NCD order is also more strictly defined than the Half Crown NCD order, calling for binding review over all publicly-visible exterior alterations.

In the event of a merger, one or the other of the Half Crown or Marsh NCD orders would require significant revision to be made consistent. However, the newness of the Marsh NCD and the need for the Marsh NCD Commission to become well-established in the neighborhood mitigate against any efforts to merge the two in the near future. It is likely that it will take 2-3 or more years before the Marsh NCD is sufficiently well-established to entertain consideration of a merger with the Half Crown NCD.

***3. Consideration should be given to enhancing the Half Crown NCD Commission's role as an advocate in broader issues of neighborhood development.***

Other NCD Commissions operating in Cambridge have identified a role for themselves as advocates for the neighborhood on general issues of development, such as traffic flow through the neighborhood, traffic and parking impacts on the neighborhood, impacts related to permanent exterior lighting of residences, and impacts related to noise pollution from heating and ventilating equipment. While such issues may technically be beyond the statutory capacity of the district to regulate, there may be opportunities for the NCD commission to serve as a forum for the neighborhood on these issues.

As a duly-constituted municipal commission, the NCD commission may serve to convene public meetings on such issues, or to advocate with other city agencies, boards, and commissions on behalf of the neighborhood. The Commission should approach the neighborhood to determine its interest in having the Commission assume such a role and to determine what issues, if any, may be of broader concern to neighborhood residents.

Any additional activities undertaken by the Commission should be consistent with the purposes stated in Chapter 2.78 to identify, conserve and maintain the neighborhood, resist and restrain environmental influences adverse to the neighborhood, foster appropriate use and appreciation of the neighborhood, and thereby promote the public welfare. Possible agencies with whom the Commission might develop greater communication include the Planning Board, Zoning Board, Departments of Public Works and Traffic, Parking and Transportation, Pole & Conduit Commission, the Metropolitan District Commission and the MBTA.

***4) Consideration should be given to developing measures to lessen the tendency for the Commission to lapse into inactivity, given the small size of the district and the more relaxed review standards of the Half Crown NCD order.***

An underlying concern of the Historical Commission staff remains that the Half Crown NCD does not generate sufficient regulatory activity to maintain a cohesive presence in the neighborhood. The Commission will have to address this issue and take steps to maintain an active presence in the neighborhood.

The staff recommends that the Commission commit itself to a regular quarterly meeting schedule, regardless of the actual number of applications that may or may not be pending before it, and that the Commission endeavor to meet in a publicly-accessible space in or near the district so as to encourage neighborhood participation.

It is not clear, given the regulatory provisions of the Half Crown NCD order, what additional role the Commission should adopt. Applications before the Commission are not anticipated to increase significantly. It will be incumbent on a newly-appointed Commission to develop a more active role for itself while remaining within the parameters established in the NCD order.

## **V. Conclusions**

It is the recommendation of the Half Crown NCD Study Committee that this report be forwarded to the Cambridge Historical Commission with a recommendation that options 2) and 3) as described in section III of this report be adopted. No formal actions or amendments to existing orders or ordinances are recommended at this time.